

REMARKS

This Amendment is being filed in response to the Final Office Action mailed on April 5, 2010, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 4-18 and 23-24 remain in this application, where claims 19-22 have been canceled without prejudice and claims 23-24 have been currently added. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications. Claim 1 is independent.

In the Office Action, claims 1, 5-9 and 11-22 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,526,130 (Kim) in view of U.S. Patent Application Publication No. 2005/0120373 (Thomas). Further, claim 4 is rejected under 35 U.S.C. §103(a) over Kim in view of Thomas and U.S. Patent Application Publication No. 2002/0174430 (Ellis). Claim 6 is rejected under 35 U.S.C. §103(a) over Kim in view of Thomas and U.S. Patent No. 7,171,174 (Ellis '174). Claim 10 is rejected under 35 U.S.C. §103(a) over Kim in view of Thomas and U.S. Patent Application Publication No. 2006/0072354 (Ohnuma). Applicants respectfully traverse and submit that claims 1, 4-18 and 23-24, as amended, are patentable over Kim, Thomas, Ellis, Ellis '174 and Ohnuma for at least the following reasons.

As correctly noted in the paragraph spanning pages 3-4 of the Office Action, Kim

does not disclose or suggest that the desired content descriptor is already contained in a blank of the record medium, and that inserting the record medium containing the desired content descriptor into a recording device triggers the recording device to automatically perform the acts of scanning and recording as recited in independent claim 1. Thomas is cited in an attempt to remedy the deficiencies in Kim.

Thomas is directed to methods and systems for extracting digital content using an interactive television application. As specifically recited in paragraph [0023]:

The interactive television application may store a reference to the selected digital content and the selected settings for transferring the selected digital content to removable media. In some embodiments, the reference to the selected digital content and the selected settings for transferring the selected digital content may be stored in a database. In some embodiments, the reference to the selected digital content and the selected settings for transferring the selected digital content may be stored on a configuration file stored on removable media. (Emphasis added)

Similarly, paragraph [0177] of Thomas recites:

In some embodiments, the reference to the selected digital content and the selected settings for transferring the selected digital content may be stored on a configuration file stored on a removable medium (e.g., removable medium 62). In some embodiments, the interactive television application may create and transfer the configuration file to the removable medium. (Emphasis added)

Further, paragraph [0188] of Thomas recites:

At step 1030, the interactive television application may transfer the referenced digital content to removable medium 62 in accordance with the settings for removable medium 62. The transfer may occur without requiring further user interaction.

Thus, in Thomas, the very same interactive television application stores both the

reference to the selected digital content and the referenced digital content to removable medium 62.

In stark contrast, the present invention as recited in independent claim 1, amongst other patentable elements recites (illustrative emphasis provided):

storing said desired content descriptor on said record medium by a first device;

reading said desired content descriptor from said record medium by a second device local to a user of the record medium, wherein the first device is remote from the local device, and wherein the first device is associated with a provider of the record medium and is different from the second device;

scanning by the second device the content of at least one multimedia source for desired content that matches said desired content descriptor; and

recording by the second device said desired content on said record medium, wherein inserting the record medium containing the desired content descriptor into the second device triggers the second device to automatically perform the acts of scanning and recording.

Kim, Thomas, and combination thereof, do not disclose or suggest that different devices store a descriptor and record the desired content that matches the descriptor, as recited in independent claim 1. Rather, the very same interactive television application in Thomas stores both the reference to the selected digital content and the referenced digital content to the removable medium 62. Ellis, Ellis '174 and Ohnuma are cited to allegedly show other features and do not remedy the deficiencies in Kim and Thomas.


Accordingly, it is respectfully requested that independent claim be allowed. In addition, it is respectfully submitted that claims 4-18 and 23-24 should also be allowed at least based on their dependence from independent claim 1 as well as their individually

patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded. And in particular, no Official Notices are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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